



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,904	08/14/2001	Christopher Samaniego	EQU10001CIP	9393
22862	7590	11/02/2004		
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER BASHORE, WILLIAM L	
			ART UNIT	PAPER NUMBER

2176

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/929,904	Applicant(s) CHRISTOPHER SAMANIEGO	
	Examiner William L. Bashore	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: original application filed 8/14/2001, with priority to **10/21/1999**.
2. Claims 1-13 are pending. Claims 1, 3, 5, 11 are independent claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claims 2, 10, the phrase "and the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "and the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 3-9, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (hereinafter Davis), U.S. Patent No. 5,937,160 issued August 1999.**

In regard to independent claim 1, Davis teaches updating a hypertext document (residing on a server) via an e-mail message (Davis Abstract). Davis teaches a target web page containing special tags (<RPM> tags) identifying where content from said e-mail is to be inserted, said e-mail containing CGI commands (Davis Figure 7, 14A, column 9 lines 26-37, column 10 lines 30-41). Davis also teaches said e-mail incorporating revisions/additions to other data formats, including graphics, audio, video, etc. (i.e. Web media) (Davis column 3 lines 36-42).

Davis does not specifically teach parsing of data, as claimed. However, it is known in the art that in order for URL/HTML content to be interpreted, the tags and data must be parsed for identification of each said tag and data, therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate parsing to search for specific tags within an HTML document, providing the benefit of parsing to efficiently find tags.

Davis teaches a hypertext page containing proprietary HTML tags indicating where data (from the incoming e-mail) is to be inserted and/or modified (Davis column 10 lines 30-41, column 14 lines 65-67 to column 15 lines 1-34). Davis does not specifically teach that said proprietary tags are related to an original media, or lookup keys. However, Davis teaches that an incoming e-mail can include additions to other media formats associated with the hypertext document (i.e. graphics, audio, video media, etc.) (Davis column 3 lines 36-41). Since Davis's proprietary <RPM> tag is replaced by the e-mail's contents (Davis Abstract), and since special tags (i.e. <RPMTD>) can be included within said e-mail and/or HTML document (Davis column 3 lines 49-52, column 15 lines 20-25), the combined teachings provides the suggestion of a proprietary tag related to original (i.e. video) media. Davis also teaches its invention can be bundled with databases (for storing data, repository purposes, etc.) (Davis column 17 lines 19-23), providing the suggestion of utilizing primary/secondary keys for query purposes. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Davis as explained above, providing Davis the benefit of adding multimedia to a web page, for enhancement purposes and the increased organization that databases bring.

Davis teaches generating a web page (on a server) incorporating replacement of proprietary tags with

Art Unit: 2176

e-mail content, said content comprising CGI commands and other media related data (Davis Abstract, Figure 14A). Davis also teaches hypertext revisions can take the form of other data formats associated with a hypertext document (i.e. graphics, audio, video, etc.) (Davis column 3 lines 35-42).

Davis teaches an e-mail submission including CGI commands, said submission replaces various hypertext code, resulting in a final document (Davis Figures 14A, 14D-1). Within said Figure 14D1, the applied CGI creates a "Profile Questionnaire" submission form (below item 95), when activated, therefore supporting a plurality of media operations (i.e. editing of an input form, etc.).

Davis teaches "real time" (dynamic) web page updating utilizing e-mail submissions (Davis column 8 lines 40-46).

Davis teaches a cache used in a computer for holding data related to communication purposes (Davis column 6 lines 55-59). Since typical operating systems generally incorporate specific (i.e. intelligent) algorithms to manage hardware/software caches for temporarily storing frequently used data, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate an intelligent caching mechanism for holding various data, providing the benefit of caching for quicker data access.

In regard to independent claim 3, claim 3 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.

In regard to dependent claim 4, Davis teaches an e-mail authoring subsystem (Davis Abstract).

In regard to independent claim 5, claim 5 reflects the apparatus comprising computer readable instructions used for implementing the methods as claimed in claim 1, and in further view of the following, is rejected along the same rationale.

Davis teaches Web page headers (Davis column 8 lines 31-39).

In regard to dependent claim 6, claim 6 incorporates substantially similar subject matter as claimed in claim 1, and in further view of the following, is rejected along the same rationale.

Davis teaches “real time” (dynamic) web page updating utilizing e-mail submissions (Davis column 8 lines 40-46).

In regard to dependent claims 7, 8, Davis teaches utilizing various editors on a computer (i.e. client/server) for creating and sending an e-mail for submission, as well as a target Web page residing on a Web server, or other server (Davis Abstract, column 8 lines 45-50, column 10 lines 7-14).

In regard to dependent claim 9, claim 3 incorporates substantially similar subject matter as claimed in claim 5, and is rejected along the same rationale.

In regard to independent claim 11, and dependent claims 12, 13, claims 11, 12, 13 reflect the apparatus comprising computer readable instructions used for implementing the methods as claimed in claim 1, and are rejected along the same rationale.

6. **Claims 2, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, as applied to claims 1 and 5 above, and further in view of Halliday et al. (hereinafter Halliday), U.S. Patent No. 5,880,740 issued March 1999.**

In regard to dependent claim 2, Davis does not specifically teach panning/zooming. However, Halliday teaches manipulation of HTML based composite graphic images utilizing changes in image size (i.e. zooming, panning, etc.) (Halliday column 3 lines 40-46). It would have been obvious to one of ordinary skill in

Art Unit: 2176

the art at the time of the invention to apply Halliday's zooming feature into Davis's updatable web pages, providing Davis the benefit of zooming/panning to see image more clearly.

In regard to dependent claim 10, claim 10 reflects the system comprising computer executable (process) methods as claimed in claim 2, and is rejected along the same rationale.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William L. Bashore
Patent Examiner AU 2176
October 31, 2004